

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

OLA MAE ALLEN,)	
)	
Plaintiff,)	
)	
v.)	No. CIV-08-216-FHS
)	
SIDNEY W. CLYBURN, et. al.,)	
)	
Defendants.)	

ORDER

The court has reviewed the plaintiff's Complaint which is in excess of 2000 pages in length. While the complaint is vague, mostly incoherent and virtually unintelligible, one thing is abundantly clear. All of the actions of which plaintiff complains occurred in Texas. Most of her alleged complaints took place in the Longview, Texas area. After a review of the Complaint it appears there is absolutely no connection between her claims and the Eastern District of Oklahoma.

28 U.S.C.A. Sec. 1391 (b) provides:

A civil action wherein jurisdiction is not founded solely on diversity of citizenship may, except as otherwise provided by law, be brought only in (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.

From the Complaint, summons and returns it is clear that not one of the 32 defendants named in the Complaint resides anywhere in


the State of Oklahoma. Further, the Complaint does not in any way reveal that a substantial part of the events giving rise to this claim occurred in the Eastern District of Oklahoma or elsewhere in Oklahoma. Thus, venue is not proper in this district.

Sua sponte dismissal for improper venue is appropriate "when the defense is obvious from the face of the complaint and no further factual record is required to be developed." Trujillo vs. Williams, 465 F.3d 1210, 1217 (Tenth Cir. 2006) and Kenney vs. NKC of America, 225 F.Appx. 727, 728 (Tenth Cir. 2008).

In the case at bar, the plaintiff has submitted over 2,000 pages in support of her claim. It is assumed by the court that this lengthy document contains all of the facts which comprise her Complaint. None of her claims support venue in this district.

In its discretion the court choose not to transfer this case because plaintiff's Complaint is in violation of Federal Rule of Civil Procedure 8 (a). This provision requires a short plain statement of the claim showing the pleader is entitled to relief. Because the Complaint is in violation of this provision, a transfer would not serve the interest of justice. Accordingly, this court dismisses plaintiff's Complaint.

Dated this 6th day of August, 2008.


Frank H. Seay
United States District Judge